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SUSAN Y. SOONG
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NORTH DISTRICT OF CALIFORNIA

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AGT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CV 20

Case No: **80126MISC**

In re DMCA Subpoena to

YouTube, LLC

)
) **DECLARATION OF HIROYUKI**
) **NAKAJIMA**
)

I, Hiroyuki Nakajima, declare and testify as follows:

1. I am an attorney duly licensed to practice law in Japan. I represent Nikkatsu Corporation., a Japanese corporation, in the above-entitled proceeding and as such, I am authorized and qualified to make this declaration for and on its behalf, and I make this declaration for that reason.

2. Nikkatsu Corporation. is seeking a subpoena pursuant to 17 U.S.C. § 512(h) to obtain information sufficient to identify the persons infringing its copyrighted works.

3. The purpose for which this subpoena is sought is to obtain the identity of the alleged infringers. Such information will only be used for the purpose of protecting rights under the Copyright Act (17 U.S.C. § 101, et seq.).

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BY FAX

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct.

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4 Executed on July 24, 2020.

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6 Hiroyuki Nakajima
7 Hiroyuki Nakajima
8 Attorney for Nikkatsu Corporation.
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Attorney for Nikkatsu Corporation.

July 24, 2020

Via Email

YouTube, LLC
Attn: Copyright Operations/ DMCA Complaints
901 Cherry Ave
San Bruno, CA 94066
Phone: 650-214-3010
Email: copyright@youtube.com

RE: NOTIFICATION OF COPYRIGHT INFRINGEMENT
(Pursuant to 17 U.S.C. § 512)

To whom it may concern:

I represent Nikkatsu Corporation, a Japanese corporation (hereinafter called "Nikkatsu"), the owner of the copyrighted works identified under the column entitled "Original Work" in Exhibit A attached to this notice ("Exhibit A").

It has recently come to Nikkatsu's attention that certain users of your services have unlawfully published and posted certain contents on your website located at www.youtube.com, more specifically identified under the column entitled "Infringing Work" in Exhibit A (referred to as the "Infringing Work"), corresponding to each of the Original Work identified in Exhibit A.

Nikkatsu has a good faith belief that the Infringing Work is not authorized by the copyright owner, its agent, or the law.

We demand that you immediately disable access to the Infringing Work and cease any use, reproduction, and distribution of the Original Work. Specifically, we request that you remove or disable the Infringing Work from www.youtube.com and/or any of your system or services.

YouTube, LLC
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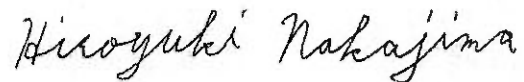
We also request a written assurance that you have fully complied with our request.

I declare that the information in this notice is accurate, and under penalty of perjury, that I am authorized to act on behalf of the owner of the exclusive right of the Original Work that is infringed.

Your immediate response will be appreciated.

Very truly yours,

Hiroyuki Nakajima
Attorney at Law

A handwritten signature in cursive script that reads "Hiroyuki Nakajima". The signature is written in dark ink and is positioned below the typed name and title.

Youtube, LLC
 July 24, 2020
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 Exhibit A.

	Title of Original Work	Author of Original Work	Original Work	Infringing Work	Title of Infringing Work	YouTube Channel/User (Name/ Profile Page on YouTube.com)
1	冷たい熱帯魚 (COLD FISH)	Nikkatsu Corporation	https://www.nikkatsu.com/movie/32321.html	https://www.youtube.com/watch?v=LRpE2AsiWko	【PT】実際の事件を元に作られた日本で一番エグイ映画【冷たい熱帯魚】	ポケットシアターJP https://www.youtube.com/channel/UCrQ0GLw0PKk_q8-wsclINDw ポケットシアターPT https://www.youtube.com/channel/UCXj-r2DtTd6NeE55-y-ETw ポケットシアター https://www.youtube.com/channel/UCaQaOz_h7PBbDX_YlauU92A
2	冷たい熱帯魚 (COLD FISH)	Nikkatsu Corporation	https://www.nikkatsu.com/movie/32321.html	https://www.youtube.com/watch?v=zn6K5EEU48	【映画紹介】実際の事件を元に作られた日本で一番エグイ映画【冷たい熱帯魚】	ポケットシアターPT https://www.youtube.com/channel/UCXj-r2DtTd6NeE55-y-ETw ポケットシアターJP https://www.youtube.com/channel/UCrQ0GLw0PKk_q8-wsclINDw ポケットシアター https://www.youtube.com/channel/UCaQaOz_h7PBbDX_YlauU92A
3	ブタがいた教室	Nikkatsu Corporation	https://www.nikkatsu.com/movie/32281.html	https://www.youtube.com/watch?v=bSVJ2OzDYwg	【映画紹介】教室で飼いはじめたぶた。あなたは食べれますか？【ブタがいた教室】	ポケットシアターPT https://www.youtube.com/channel/UCXj-r2DtTd6NeE55-y-ETw